

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/002209

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-4, 6-9 as originally filed/furnished
- pages* 5 received by this Authority on 22.08.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 7, 8 received by this Authority on 25.01.2006
- nos.* 1, 4 received by this Authority on 21.04.2006
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☒ the claims, nos. 2, 3, 5, 6, 9, 10
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1, 4, 7, 8</u>	YES
	Claims	<u></u>	NO
Inventive step (IS)	Claims	<u>1, 4, 7, 8</u>	YES
	Claims	<u></u>	NO
Industrial applicability (IA)	Claims	<u>1, 4, 7, 8</u>	YES
	Claims	<u></u>	NO
2. Citations and explanations (Rule 70.7)			
<p>Document 1: JP 11-293454 A (Hitachi Metals, Ltd.), 26 October 1999, claim 1, claim 6 and paragraphs [0028], [0043] and [0060] (Family: none)</p> <p>Document 2: JP 9-228037 A (Tomonobu HATA), 02 September 1997, claim 1; paragraphs [0002] and [0008]; and fig. 4 (Family: none)</p> <p>Document 3: JP 6-136524 A (Mitsubishi Kasei Corp.), 17 May 1994, paragraph [0012] (Family: none)</p> <p>Document 4: JP 2000-199054 A (Kobe Steel Ltd.), 18 July 2000, claim 1 and paragraphs [0035] to [0064] (Family: none)</p> <p>The sputtering target that comprises Co, Cr, Pt and B, which is characterized in that a non-ductile substance is present within the matrix phase in an amount of 1 to 50% by volume and in that no defects with a size larger than 10 µm are formed in the surface of the sputtering target during the machining process, is not disclosed in the documents that are cited in the international search report or in any of the documents that are cited in the second written opinion, and would not have been obvious to a person skilled in the art.</p>			